

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:)
Klarfeld, et al.)
For: SYSTEM AND METHOD)
FOR PERSONALIZED TV)
Application No.: 09/963,335)
Filed: September 24, 2001)
May 1, 2002
Los Angeles, California 90067

RESPONSE TO NOTICE OF MISSING PARTS DATED NOVEMBER 1, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts mailed November 1, 2001, enclosed is a executed Declaration and Power of Attorney and a Request for a Four Month Extension of Time for filing in the above-referenced case.

Enclosed are substitute drawings in compliance with 37 CFR 1.84.

Also attached is a check for funds in the amount of \$65.00 to cover the necessary fee for the late filing of a Declaration.

Please charge any additional fees or deposit any overpayment to our Deposit Account No. 19-1995. A copy of this letter is enclosed for that purpose.

Respectfully submitted,

SHERMAN & SHERMAN

Kenneth L. Sherman
Kenneth L. Sherman
Reg. No. 33,783
2029 Century Park East, Suite 1700
Los Angeles, California 90067
Tel.: (310) 789-3200

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231 on 5/1/2002
Eveyn M. Van Eveyn M. Van
(Type or print name of person mailing paper) (Signature of person mailing paper)
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UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/963,335	09/24/2001	Kenneth A. Klarfeld	

CONFIRMATION NO. 2141

FORMALITIES LETTER



OC00000007010612

IRELL & MANELLA LLP
Suite 900
1800 Avenue of the Stars
Los Angeles, CA 90067

Date Mailed: 11/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

*A copy of this notice **MUST** be returned with the reply.*

File

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:)
Klarfeld, et al.)
For: SYSTEM AND METHOD)
FOR PERSONALIZED TV)
Application No.: 09/963,335)
Filed: September 24, 2001)
July 2, 2002)
Los Angeles, California 90067)

PETITION TO SUBMIT LATE DRAWINGS

Commissioner of Patent and Trademarks
Washington, D.C. 20231

Dear Sir:

Applicant hereby respectfully Petitions the Honorable Commissioner of the United States Patent and Trademark Office to allow the late filing of the formal drawings in the above-identified case and to move this case to examination on the merits.

Please consider the following to be a requisite Statement of Facts Under 37 CFR 1.47 (a).

Applicant transferred responsibility of the above file to the Law Offices of Sherman & Sherman on or about the beginning of 2002.

The transferring of this file among other files caused confusion and misplacing of important documents such as the Notice to File Missing Parts dated November 1, 2001. (A copy of which is attached). Substantial time and effort was undertaken organizing and cataloging the files and their contents.

Applicant's undersigned new counsel responded to the Notice to File Missing Parts on May 1, 2002 (including a four month extension of time) after realizing that a response to the Notice to File Missing Parts of Non-Provisional Application was due on January 1, 2002. In that response, Applicant filed the executed Declaration and Power of Attorney along with the informal drawings submitted in the original application. At that time, Applicant had no choice but to submit informal drawings considering that the draftsman could not provide the formal drawings at such short notice.

At that time, Applicant proceeded with preparing and filing of a response to the outstanding Notice to File Missing Parts to avoid abandonment of application. (A copy of our response dated May 1, 2002 is enclosed as Exhibit "A"). In that response, we submitted the executed Declaration and Power of Attorney and informal drawings.

On June 17, 2002, we received a fax Notice of Incomplete Reply (Non-Provisional) from Irell & Manella LLP (prior counsel) in this application. (A copy of which is enclosed as Exhibit "B".)

The drawings have now been placed in compliance with 37 CFR 1.84.

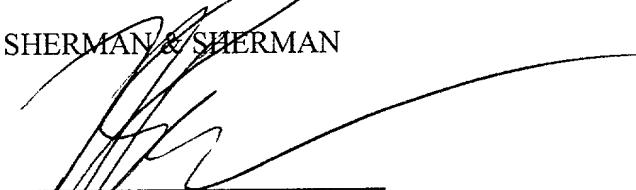
Thirty sheets of formal drawings are herewith submitted.

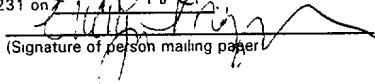
A check in the amount of \$130.00 is enclosed to cover the fee under 37 CFR 1.17(h).

Please charge any additional fees or deposit any overpayment to our Deposit
Account No. 19-1995. A copy of this letter is enclosed for that purpose.

Respectfully submitted,

SHERMAN & SHERMAN


Kenneth L. Sherman
Reg. No. 33,783
2029 Century Park East, Suite 1700
Los Angeles, California 90067
Tel.: (310) 789-3200

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to the: Assistant
Commissioner for Patents, Washington, D.C. 20231 on 1/12/92
Kenneth L. Sherman
(Type or print name of person mailing paper)
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(Signature of person mailing paper)